

Notice of Determination, Response to Comments of
Initial Study/Mitigated Negative Declaration, and
Mitigation Monitoring and Reporting Program

Delta Flood Emergency Facilities Improvement Project

State Clearinghouse (SCH) No. 2013042015

A Component of the Delta Flood Emergency Preparedness,
Response, and Recovery Program

June 2013

NOTICE OF DETERMINATION

TO:

X Office of Planning and Research From: California Department of Water Resources
1400 10th Street, Room 121 Division of Flood Management
Sacramento CA 958141231 I Street, Room 301
Sacramento CA 95814

X County Clerk
County of San Joaquin
County of Solano
County of Sacramento
County of Contra Costa
County of Yolo

Subject: Filing of Notice of Determination

Project Name (if any): Delta Flood Emergency Facilities Improvement Project, a Component of the Delta Flood Emergency Preparedness, Response, and Recovery Program

2013042015	Seth Litchney	(916) 445-0613
State Clearinghouse Number	Contact Person	Area Code/Telephone/Extension

Project Contact:

John Paasch
Division of Flood Management
California Department of Water Resources, Division of Flood Management
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Sacramento, CA 95821
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Email: john.paasch@water.ca.gov

Project Location (include County):

The Initial Study/Mitigation Negative Declaration addresses the potential development, improvement, and operation of three permanent rock stockpile and emergency transfer sites in the Sacramento-San Joaquin River Delta area. These sites are located at:

1. 1404, 1541 and 1325 West Weber Avenue, Stockton, CA (Stockton West Weber Avenue). County of San Joaquin
2. Central Valley Flood Protection Board Dredge Disposal Site, at Airport Road, Rio Vista, CA (Rio Vista). County of Solano.
3. Brannan Island State Recreation Area, CA (Brannan Island). County of Sacramento.

Project Description: Under the facilities implementation component of the Delta Flood Emergency Preparedness, Response, and Recovery Program (DFEPRRP) the California Department of Water Resources (DWR) proposes to acquire long-term access and improve up to three sites in the Sacramento-San Joaquin Delta (Delta); these sites are located in Stockton, Rio Vista, and Brannan-Andrus. The Delta Flood Emergency Facility Improvement Project (FIP) consists of improving three transfer facilities sites where quarry rock, sand, soil and other flood fight materials can be efficiently transferred from trucks to barges to expedite levee repairs and facilitate channel closures in the event

of Delta levee breaches. In addition, the FIP sites would serve other emergency response functions needed by DWR to respond rapidly and effectively to significant emergencies in the Delta, including storage of repair materials and flood fight supplies, and Incident Command Posts (ICPs). DWR proposes to acquire the needed sites through purchase from willing private sellers or through long-term lease arrangements with other governmental agencies. DWR would utilize existing improvements and construct additional improvements as needed to support the proposed emergency response functions. Such improvements are likely to include fencing, docking and loading facilities, parking, temporary office trailers, utilities (water, power, communications, and wastewater), fencing, lighting, and security improvements.

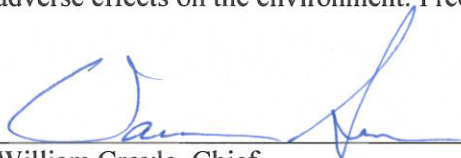
This is to advise that the **California Department of Water Resources** has approved the above described project on May 30, 2013 and has made the following determination regarding the above described project:

1. The project will X will not have a significant effect on the environment.
2. An Initial Study/Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 X A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures X were were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations was X was not adopted for this project.
5. A mitigation reporting or monitoring plan X was was not adopted for the is projects
6. Findings X were were not made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at:

California Department of Water Resources
Division of Flood Management
Attn: John Paasch
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

Certification by Persons Responsible for Preparation of this Document: The Department of Water Resources, Division of Flood Management Engineering has been responsible for the preparation of this Proposed Mitigated Negative Declaration and the incorporated Initial Study. I believe this document meets the requirements of the California Environmental Quality Act, is an accurate description of the proposed project, and that the lead agency has the means and commitment to implement the project design measures that will ensure the project does not have any significant, adverse effects on the environment. I recommend approval of this document.

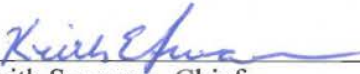
FWR 
William Croyle, Chief
Flood Operations Branch
Division of Flood Management Engineering
California Department of Water Resources

6/3/13
Date

(*To be signed upon completion of the public review process and preparation of a final project approval package, including responses to comments, if any, on the environmental document and any necessary modifications to project design measures.)

Approval of the Project by the Lead Agency: Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Department of Water Resources has independently reviewed and analyzed the Initial Study and Proposed Mitigated Negative Declaration for the proposed project and finds that the Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgment of the California Department of Water Resources. The lead agency finds that the project design features will be implemented as stated in the Mitigated Negative Declaration.

I hereby approve this project:



Keith Swanson, Chief
Division of Flood Management
California Department of Water Resources

6/5/13
Date

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1.0 INTRODUCTION

1.1 Review of the IS/MND, SCH NO. 2013042015

Copies of the IS/MND were distributed to the Governor's Office of Planning and Research, State Clearinghouse (SCH), and the appropriate resource agencies. In addition, electronic copies were posted on DWR's website; <http://www.water.ca.gov/floodmgmt/hafoo/fob/dfeprrp/>. A Notice of Intent (NOI) was hand-delivered to the SCH and delivered by US Postal Service to appropriate resource agencies. A Notice of Availability (NOA) of the IS/MND and DWR's Notice of Intent to adopt a MND was published in the Sacramento Bee, the Stockton Record, and the Rio Vista Beacon, as well as notifications of public workshops held in Rio Vista on April 22, 2013, and in Stockton on April 24, 2013. A 32-day public review period began on April 8, 2013, and ended on May 10, 2013. Comment letters were received from the following seven entities:

- San Joaquin Valley Air Pollution Control District (SJAPCD)
- California Department of Transportation - Caltrans (DOT)
- California Department of Parks and Recreation, Gold Fields District (DPR)
- California Department of Fish & Wildlife (DFW)
- Central Valley Flood Protection Board (CVFPB)
- Delta Stewardship Council (DSC)
- Delta Protection Commission (DPC)

These letters are presented in Section 2.0 Comments and Responses.

1.2 Preparation of this Memorandum

Comment letters were reviewed and the responses were prepared as presented Section 2.0. Based on the comments and recommendations received, minor changes and edits to the IS/MND have been identified as reflected in the Section 3.0, Errata. The letters from the DSC, CVFPB and DPC did not contain substantive comments on the IS/MND. These letters were supportive of the proposed action and made minor suggestions for project improvements that would not change any of the IS/MND findings.

The other letters identified potential impacts and proposed mitigations to reduce the impact to less than significant. The impacts have been recognized and minor amendments or additional mitigations identified where appropriate, including the changes to the text identified in Section 3, and/or incorporated into the mitigation monitoring and reporting program (MMRP) presented in Section 4. Section 4 presents the MMRP to be implemented by DWR to ensure significant environmental effects are avoided.

No substantive modifications to the project description were made based on the comments. There were also no substantial revisions to the IS/MND based on reviewers identifying new, avoidable significant effects. None of the edits contain changes and/or additional details that

warrant the recirculation of the IS/MND because the changes do not result in any new impact not previously described and analyzed; revisions to the project do not meet the criteria for recirculation under CEQA Guidelines §15073.5. Similarly, the minor revisions identified below to a mitigation measure from the IS/MND represent an allowable substitution or additional mitigation measure pursuant to CEQA Guidelines Section 15074.1.

2.0 COMMENTS AND RESPONSES

2.1 Letter 1: San Joaquin Unified Air Pollution Control District

SJAPCD 1. Revisions to Table 4-4, pg. 88 have been made to identify the SJAPCD PM10 threshold of significance. See Section 3.

SJAPCD 2. No response needed.

SJAPCD 3. No response needed.

SJAPCD 4. Comment noted. DWR will comply with all SJAPCD rules and regulations, and will consult with the SJAPCD to obtain District permits in the event of building renovation, demolition or removal.

SJAPCD 5. Copies of the District comments have been provided to DWR.



May 9, 2013

John Paasch
California Department of Water Resources
Division of Flood Management
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

Project: Initial Study (IS) and Proposed Mitigated Negative Declaration (MND) for the Delta Flood Emergency Facilities Improvement Project

District CEQA Reference No: 20130357

Dear Mr. Paasch:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the IS and Proposed MND for the Delta Flood Emergency Facilities Improvement Project. The project consists of establishing two (2) new material storage and transfer facilities located at West Weber Avenue in Stockton and another at Brannan Island State Park. In addition, the existing Rio Vista material storage facility will be modified. The goal is to establish new flood fight supply facilities at all three (3) of the following locations: West Weber Avenue in Stockton, Brannan Island State Park and Rio Vista. The Department of Water Resources (DWR) is proposing to stockpile up to 40,000 tons of flood fight material each at Stockton's West Weber Avenue and at the Brannan Island location. DWR will also stockpile up to 20,000 tons of sand at the Rio Vista location for a total additional increment of 100,000 tons.

1. The District would like to clarify that it applies the following thresholds of significance for criteria pollutants.

- 10 tons per year oxides of nitrogen (NOx)
- 10 tons per year reactive organic gases (ROG)
- 15 tons per year particulate matter of 10 microns or less in size (PM10)

Currently on page 88 (Table 4-4), the IS/MND does not identify the District's significance threshold for PM10. As a result, the District recommends amending the IS/MND to identify the PM10 threshold of significance.

District CEQA Reference No. 20130357

2. Based on information provided in the IS/MND, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOx, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions are expected to have no significant adverse impact on air quality.
3. Based on information provided to the District, the proposed project is not subject to District Rule 9510 (Indirect Source Review).
4. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4801 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
5. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Mark Montelongo, at (559) 230-5905.

Sincerely,

David Warner
Director of Permit Services

for: Arnaud Marjollet
Permit Services Manager

DW: mm

Cc: File

Severin Sedredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
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Tel: (209) 557-0400 FAX: (209) 837-0410

Central Region (Main Office)
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Fresno, CA 93720-0244
Tel: (209) 230-0000 FAX: (209) 230-0001

Southern Region
3500 River Court
Bakersfield, CA 93306-4776
Tel: (805) 382-0908 FAX: (805) 382-0903

www.valleyair.org www.healthyliving.com

Revised 04/2012

2.2 Letter 2: California Department of Transportation

DOT 1. DOT stated that *“It appears to Caltrans that increased heavy truck traffic generated by this project could cause damage to roadway pavement”*. Also noting that *“During the construction phase and during operation, Caltrans anticipates that large amounts of truck traffic will be generated”*.

DWR will coordinate with the appropriate Caltrans regional offices to investigate feasible mitigations. DOT also commented on the Need for a Traffic Management Plan (TMP). Text has been added to Section 4.17.3 (pg. 178), and Section 5.8 has been added (pg. 188) to address the comment and include appropriate mitigations (See Section 3). The mitigation measure has been included in the Mitigation Monitoring and Reporting Program (MMRP).

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRANSPORTATION PLANNING

P.O. BOX 942874, MS-32

SACRAMENTO, CA 94274-0091

PHONE: (916) 653-1067

FAX: (916) 653-4570

TTY: 711

www.dot.ca.gov/hq/tpp/Plan your power!
Be energy efficient!

May 10, 2013

John Paasch
California Department of Water Resources
Division of Flood Management
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

D03 SR 160 – PM L6.74
D04 SR 84 – PM 0.98
D10 Interstate 5 – PM Var
SCH: 2013042015

Subject: Delta Flood Emergency Facilities Improvement Project (SCH# 2013042015)

Dear Mr. Paasch:

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Proposed Negative Declaration for the Delta Flood Emergency Facilities Project. The proposed project addresses the potential development, improvement, and operation of three permanent rock stockpile and emergency transfer sites in the Sacramento-San Joaquin River Delta area. This comment letter encompasses the entire delta region, and supersedes any prior letters regarding this project. The proposed project is located in Sacramento County (Brannan Island State Recreation Area along State Route (SR) 160), San Joaquin County (various locations at West Weber Avenue in Stockton along Interstate 5) and Solano County (Central Valley Flood Protection Board Dredge Disposal Site, at Airport Road in Rio Vista along SR 84).

As the owner and operator of the State Highway System (SHS), the main objective of the Local Development – Intergovernmental Review (LD-IGR) Program is to protect the mobility and operational safety of the SHS. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that may have an impact on state facilities and the multi-modal transportation network.

Mitigation

It appears to Caltrans that increased heavy truck traffic generated by this project could cause damage to roadway pavement. Please coordinate with the appropriate Caltrans District staff to investigate feasible mitigation measures.

Traffic Management Plan

During the construction phase and during operation, Caltrans anticipates that large amounts of truck traffic will be generated. Therefore, a Traffic Management Plan (TMP) will be

"Caltrans improves mobility across California"

Mr. John Paasch

May 10, 2013

Page 2

required. Please be advised that the TMP should be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address:

<http://www.dot.ca.gov/hq/trafficops/signtech/mutcdsupp/pdf/camutcd2012/Part6.pdf>

Once the TMP is available, please provide our office with a copy for Caltrans review.

Transportation Permit

Caltrans requires a transportation permit for the transport of heavy construction equipment and/or materials to/from the project site, or any movement of oversized or excessive load vehicles on the State Highway System. Caltrans recommends that large size truck trips be limited to off-peak commute periods. Further information is available on the following website: <http://www.dot.ca.gov/hq/trafficops/permits/>

For questions regarding this comment letter please contact Josh Pulverman, LD-IGR Statewide Coordinator, Office of Community Planning at (916) 653-0808, or at josh_pulverman@dot.ca.gov.

For District 3 (Sacramento County) specific questions please contact Eric Fredericks, Chief, Transportation Planning South at (916) 274-0635, or at eric_fredericks@dot.ca.gov.

For District 4 (Solano County) specific questions please contact Erik Alm, Chief LD-IGR Branch, at (510) 286-6053, or at erik_alm@dot.ca.gov.

For District 10 (San Joaquin County) specific questions please contact Tom Dumas, Chief, Metropolitan Planning at (209) 941-1921 or at tom_dumas@dot.ca.gov.

Sincerely,

Terri Pencovic
Branch Chief, Office of Community Planning
LD-IGR Statewide Program Manager

e: Scott Morgan, State Clearinghouse
Eric Fredericks, Senior Transportation Planner, Caltrans District 3
Erik Alm, Senior Transportation Planner, Caltrans District 4
Tom Dumas, Senior Transportation Planner, Caltrans District 10

"Caltrans improves mobility across California"

2.3 Letter 3: Department of Parks and Recreation

DPR 1. The comments provided on pages 1-6 are primarily related to the project description, DPR needs in the Parks General Plan, and/or DPR recommendations to refine the projects description. The comments do not identify proposed DWR projects actions, the threshold of significance, or environmental impact (nexus) and do not propose mitigations commensurate with an identified environmental impact. The comments primarily address issues to be resolved outside of the environmental review process. It is believed that the proposed DPR changes, should they be satisfactory to both parties and included in the projects description, would also be consistent with, and covered by the environmental review presented in the IS/MND, including those changes made the response to comments and the final adopted IS/MND and MMRP.

Specific environmental impacts identified by DPR in the letter's "Environmental Analysis" are addressed below.

DPR 2. DPR identifies a potentially significant aesthetic impact, stating *"State Parks does have potential concerns with locating industrial type facilities within the SRA, however we believe the inclusion of project elements that benefit recreation use and other measures to lessen visual impacts will help mitigate these effects."*

The impact is addressed by Mitigation Measure AES-2, Locate and Design Quarry Rock Stockpile(s) at BISRA to Minimize Impacts to Scenic Vistas and Visual Resources. The mitigation measure has been included in the MMRP.

DPR 3. DPR's comments that *"There are elderberry shrubs, the host plant of the Valley Elderberry Long-horned Beetle (VELB) a federal listed species, throughout Brannan Island SRA. Surveys will need to be conducted to identify elderberry plants and the appropriate measures taken to avoid or mitigate impacts. Antioch Dunes Evening Primrose, a federally listed species, was introduced at Brannan Island in 1967. The largest population is centered near the group picnic area. The plant is likely not in the areas where improvements are proposed, however surveys should be conducted to determine presence or absence."*

The impact is addressed by minor amendment to Mitigation Measure BIO-3 (pgs. 199 and 183) to add text stating that "Preconstruction surveys will also include botanical survey to identify the presence of elderberry shrubs and Antioch dunes evening primrose" (See Section 3). The mitigation measure has been included in the MMRP.



DEPARTMENT OF PARKS AND RECREATION
Gold Fields District
7806 Folsom Auburn Road
Folsom, CA 95630

Major General Anthony L. Jackson, USMC (Ret), Director

May 7, 2013

John Paasch
Division of Flood Management
California Department of Water Resources
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

Dear John,

This letter is in response to the Initial Study and proposed Mitigated Negative Declaration (IS/MND) for the Delta Flood Emergency Facilities Improvement Project. The proposed project would develop flood fighting materials storage locations, barge loading sites and Incident Command Posts at three locations in the Delta region. One of these locations is Brannan Island State Recreation Area (SRA). The Gold Fields District of California State Parks manages Brannan Island SRA. Below are the comments, concerns and recommendations of the Gold Fields District regarding the IS/MND. Gold Fields District staff have met with Department of Water Resources (DWR) Flood Management Division staff several times regarding the proposals for Brannan Island SRA in the IS/MND.

State Parks supports the purpose of the Flood Emergency Facilities Improvement Project to ensure that the State has the appropriate infrastructure and supplies to respond to major flood disasters in the Delta. State Parks supports the development of a package of DWR flood fight facilities if they can provide some benefit to the recreation opportunities and facilities, revenue generation potential and management capacity at Brannan Island SRA.

State Parks believes that a mutually beneficial cooperative relationship with DWR at Brannan Island SRA will help mitigate potential impacts caused by the proposed flood emergency facilities. State Parks is concerned about the potential industrialization and non-mission use of Brannan Island SRA impacting what is a very limited public recreational opportunity and facility within the Delta. However, the Department is seeking sustainable partnerships that would allow potentially threatened park units like Brannan Island SRA to remain open and accessible to the visiting public. It is within this framework that State Parks is supportive of the IS/MND for the Delta Flood Emergency Facilities Improvement Project.

Project Description

The IS/MND indicates that an Interagency Agreement would be developed between DWR and State Parks regarding the use and development of portions of Brannan Island SRA for flood emergency facilities. The IS/MND describes the project at Brannan Island SRA (NOI pages 3-4, Draft IS/MND pages 58-61) as including:

- A 2,500 to 5,000 square-foot joint use facility for use as a Multi-Agency Center (MAC), which could also serve as an ICP;
- Improvements to the Brannan Island SRA boat launching ramp and parking lot for a helipad, an Incident Command Post and a barge loading site to accommodate the loading of two barges;
- Improvements to an area between the boat launch and the group picnic area, including the placement of two pilings, for a single barge loading site;
- Placement of up to five steel containers and a 10,000 square foot steel storage building, for storage of flood fight supplies, at a mutually agreed upon location at Brannan Island SRA;
- At the south end of Brannan Island SRA establish a rock stockpile of up to 40,000 tons and improve areas and install four pilings for two barge loading sites. Access roads would be improved as needed to this location.

Discussion

Brannan Island SRA is one of the relatively few public recreation areas and boat ramps in the Delta. The unit serves underrepresented communities and is close to major population centers in the East Bay and Sacramento. Visitor attendance at Brannan Island SRA is about 125,000 visitors annually. The park unit includes an eight lane boat ramp, boat berthing area, 102-site family campground, RV campground, 6-site group campground, picnic area with 25 individual sites and 5 group sites, fishing pier and one rental cabin.

Prior to August 2012, the Gold Fields District had a small Delta Sector staff and operation located at Brannan Island SRA. This included a Superintendent, State Park Rangers, maintenance and administrative staff. As part of the Department's efforts to address budget reductions over the past several years, the Department determined to manage Brannan Island SRA through a concession contract. Brannan Island SRA is one of five park units that are part of a five-year concession contract that was awarded to American Land and Leisure. It is uncertain how Brannan Island SRA will be managed in the future when the current concession contract expires in 2017.

At the same time that California State Parks has struggled to find the resources to operate and maintain existing State Park units in the Delta, a host of other major plans and agencies have been created to address the various issues and challenges in the Delta. Many of these actions were part of the Sacramento-San Joaquin Delta Conservancy Act and the Sacramento-San Joaquin Delta Reform Act of 2009 and include: the Delta Plan, the Delta Stewardship Council, the Delta Conservancy and the Delta Recreation Proposal. It is the Gold Fields District's hope that through these and other Delta initiatives, partnerships can be developed that will help provide the necessary sustainable resources to operate, maintain and enhance the State's existing park units and recreation opportunities in the Delta.

State Parks understands that for the most part the utilization of the proposed flood facility improvements would occur during major flood events and disasters. It is assumed that recreation use at Brannan Island would be curtailed during an event of the magnitude for which the flood fight facilities are being developed. However, such an event could be precipitated by an earthquake and there may be a period of time at the outset of an event where recreation users would need to be evacuated from Brannan Island SRA. Also, State Park facilities, such as the campground at Brannan Island SRA, are sometimes used as emergency housing during disasters and major emergency events.

State Parks is interested in accommodating DWR flood fight facilities which can also provide some benefit to the recreation opportunities and facilities, revenue generation potential and management of Brannan Island SRA. State Parks is encouraged by the discussions we have had with DWR Flood Management staff over the past several months regarding the types of facilities that could benefit both agencies and purposes at Brannan Island SRA. The recommendations below reflect the latest discussions between the two agencies, some of which occurred following the finalization of the Draft IS/MND. DWR first notified State Parks of the potential flood facility improvements at Brannan Island SRA in November 2012. The two agencies have been able to schedule only a couple of meetings to discuss these proposals over the past six months, hence some of the concepts and ideas in this letter may not be fully articulated in the IS/MND. However, we believe the two agencies can work through any differences and reach a mutually beneficial outcome.

Recommendations **Multi-Agency Center**

State Parks is very interested and supportive of the concept of developing a Multi-Agency Center (MAC) at Brannan Island SRA that would serve several functions. The MAC would provide an ICP during flood events and disasters in the Delta and include a classroom/conference room of suitable size and with the appropriate infrastructure for this purpose. During non-emergency times, the classroom could be used for meetings, training, small events and other uses.

The MAC building would provide office space for State Parks staff, DWR staff or even other agencies with a need to have staff located in the Delta. Though State Parks has shifted staff out of the Delta and Brannan Island SRA in the past year, and the recreation use and facilities at the SRA are currently managed by a concessionaire, the Department has ongoing management responsibilities for Brannan Island SRA and the other State Park properties in the Delta. It is possible that State Parks could decide to again directly operate recreation use and facilities at Brannan Island SRA in the future at the conclusion of the existing concession contract.

State Parks is interested in developing agreements with DWR and other agencies that can help support the ongoing operation and maintenance of the Multi-Agency Center. Agencies other than DWR and State Parks which could have a potential interest in office space and participating in the MAC might include the Department of Boating and Waterways, Department of Fish and Wildlife, the Delta Protection Commission, the Delta Conservancy or other agencies and organizations.

The MAC would include a public contact counter and small visitor center for Brannan Island SRA and the Delta. There is an old modular structure at the park unit which previously served as a small visitor center, but has been closed to public use for several years. This old structure is in disrepair, very small and not ADA compliant. There is a need for a public contact counter at Brannan Island SRA and this function could be broadened to include providing information about recreation opportunities and resources across the Delta. A small interpretive area with exhibits that could include information not only about the resources at Brannan Island SRA, but also the wider story of the Delta: the past natural and cultural history; the natural functions of the Delta, habitats and species it supports; the development of farming, flood control and navigation in the Delta; current projects and issues regarding the Delta including reliable water supply, habitat restoration and flood emergency preparation and management. The MAC could be an opportunity for DWR to communicate its many-faceted mission in the Delta.

As the IS/MND indicates the MAC would be in the range of a 2,500-5,000 square foot building. State Parks believes the best location for the MAC would be in the vicinity of the existing closed modular visitor center near the park entrance. See the attached maps. Below are the minimum requirements to accommodate the multiple purposes of the MAC:

- Large classroom/meeting room (approximately 400-500 sq. ft.) that can be configured for different purposes (including an ICP) and wired with the necessary electrical and communications utilities;
- Five offices for use by State Parks, DWR and other agency staff;
- Public contact counter to provide information to the public;
- Small interpretive center/exhibit
- Restrooms
- Sustainable agreement(s) to address ongoing operation and maintenance costs of the MAC.

Barge Loading Station – Boat Berthing Area and Existing Olympic RV Campground

The existing boat berthing area could be modified to function as a barge loading location during emergencies. The berthing area would likely need to be dredged for this purpose and doing so would improve the facility for recreation use. The existing docks would need to be replaced so they could be easily moved in a flood emergency situation. If desirable, it may be possible to enlarge the boat berthing area to accommodate two barges during emergency operations. New docks and slips would need to be developed for an enlarged berthing area. The General Plan for Brannan Island SRA (February 1988) does depict an enlarged berthing area as part of the future facilities. State Parks staff would need to assess the existing and projected use of the berthing area to determine if the greater capacity would be used.

A concept State Parks would like to explore further with DWR is allowing DWR to use the existing Olympic RV camping loop area (12 sites) and the northeast side of the boat berthing area as a location for DWR flood fight facilities including platforms for conveyor systems or other equipment. This area could be modified to meet DWR needs.

As part of this concept, DWR would relocate the RV campground to an area to the southwest of the boat berthing area. This would entail creating a loop road with RV sites, installing electrical and water hook-ups. State Parks could provide the planning and design for this new RV campground area.

This concept of improving and utilizing the boat berthing area and adjacent upland area to the northeast for use as a barge loading site during emergency operations and relocating the RV camping area to a better and larger location for recreation purposes, provides DWR with room for the necessary flood fighting facilities and is a benefit and improvement to the State Recreation Area. See the attached maps.

Boat Ramp and Parking Area

The IS/MND proposes several potential uses of the existing boat ramp and parking area for flood fight facilities. This includes utilizing the parking area as a potential helipad during emergencies, using the boat ramp as a barge loading area for two barges simultaneously and installing the infrastructure for an ICP somewhere in the parking lot. State Parks understands that the concept for this ICP location would be to install the electrical and communication infrastructure and to bring in construction trailers during an emergency.

State Parks does not see any problem or conflicts with the existing function and use of the parking area to utilize the paved parking lot as a helipad site during emergencies. The infrastructure for an ICP could likely be developed and installed without conflicting with existing recreation use outside of emergency events. However, State Parks sees the ICP associated with a Multi-Agency Center as a much more desirable option which would provide benefit to the park unit. Installing infrastructure stub outs at the boat ramp parking lot does not really provide any benefit to the SRA.

State Parks is concerned about what would be required to make the boat ramp functional as a barge loading site during an emergency. From the description in the IS/MND it isn't clear what modifications would need to be made to the ramp and parking area in order to accommodate this barge loading use. Installing any pilings off the ramp area would interfere with the recreation use of the ramp during non-emergency times. State Parks would need to understand further about what modifications or improvements are required before supporting use of the boat ramp and parking area as a barge loading location. Something to consider is that there could be a need to use the boat ramp as a boat ramp during emergency events and it might not be desirable to block the ramp with barge loading operations. See the attached maps.

South End of Brannan Island

As noted above the IS/MND describes using this area for two barge loading sites (with two options on the location of these sites), stockpiling up to 40,000 tons of rock and making necessary improvements to roads to the area.

As State Parks and DWR Flood Management staff have discussed, this location is also one of the alternative locations for the proposed Franks Tract Project (DWR and U.S. Bureau of Reclamation are lead agencies) which would construct an operable gate across Three-mile Slough. Much of the onshore infrastructure for the gate would be located along the Brannan Island shoreline of Three-mile Slough upstream of the Highway 160 Bridge. DWR Flood Management staff has indicated they have

coordinated with the Franks Tract Project staff and that they believe the two facilities could be designed to be compatible and fit within the same footprint.

State Parks currently does not have any developed facilities in this area. The existing recreation use of this area is by anglers accessing the shoreline to fish, particularly at the SE corner of the island, and informal hiking along the existing gravel road along the southern end of Brannan Island. The General Plan for Brannan Island SRA depicts the development of a paved trail along the bluff above the shoreline along this southern end of Brannan Island. The southern end of the island along the Three-mile Slough shoreline is a scenic portion of the park unit.

Locating barge loading sites on this southern end of the island does not appear to conflict with current or future uses of the SRA. State Parks and DWR staff had initial discussions on whether it would be possible to design barge loading facilities that could also serve as a fishing pier during non-emergency periods. If this is a realistic possibility, State Parks is interested in pursuing such a facility design. State Parks is also interested in incorporating a developed recreation trail along this southern shoreline into the facility improvement plans. State Parks believes the flood fight facilities and trail can be made compatible.

State Parks recommends that if 40,000 tons of rock is to be stockpiled in this area that the material be placed in a manner that it provides a visual and aural screen between the flood fight facilities and the "Rally" site recreation area to the north. If this stockpile could also be designed to screen the existing natural gas well from the Three-mile Slough shoreline and the proposed recreation trail, this would also be beneficial. It is our understanding that the rock stockpile can be capped with soil and vegetation allowed to grow, thus minimizing the visual impact of the stockpile. Again these ideas for the stockpile could make the flood fight and recreation purposes mutually beneficial. See the attached maps.

Steel Storage Containers and Warehouse Building

State Parks has discussed with DWR staff the potential to locate additional steel storage containers and a 10,000 square foot steel warehouse building somewhere within Brannan Island SRA. State Parks initial preference for these flood fight facilities is in the area of the existing State Park corporation yard where DWR currently has several steel containers. This existing corporation yard area could easily be expanded to disturbed areas to the north nearly doubling the size of the existing corporation yard to an area of perhaps 75,000 square feet. The existing containers in the yard can be moved and configured to most efficiently utilize the space. State Parks and DWR have discussed that the expanded corporation yard and perhaps a portion of the steel building could be utilized by State Parks for dry boat storage, which may be a concession opportunity. See the attached maps.

The IS/MND also refers to a fenced area on the north end of Brannan Island SRA as a potential location for the steel storage containers and warehouse. PG&E currently has an easement for this property. PG&E formerly had a natural gas compression station on the site. The facility has since been removed and the site has been cleaned up. PG&E is in the process of completing restoration of the site and has expressed a desire to quitclaim the easement. While the site may be suitable for flood fight material storage purposes, it is not as suitable for the joint use by DWR and State Parks as described

above. Therefore State Parks preference for the location of the storage containers and warehouse building remains the corporation yard area.

North Barge Loading Location

The IS/MND proposes an additional barge loading site in the area along Three-mile Slough between the boat ramp and the group picnic area. State Parks believes it is likely possible to design such a facility so there would be little or no impact on the recreation use and facilities in the area. As noted above, if such a facility could be designed to serve as a fishing pier, extended out into the Slough, the facility could be enhanced for both flood management and recreation use. If such a design is possible, there may be more desirable location to locate such a facility along the Three-Mile Slough shoreline. See the attached maps.

Environmental Analysis

Aesthetics (pages 75-76)

As noted above, State Parks does have potential concerns with locating industrial type facilities within the SRA, however we believe the inclusion of project elements that benefit recreation use and other measures to lessen visual impacts will help mitigate these effects.

If rock stockpiles could be located and shaped to function as visual screening berms and covered with soil and allow grasses and other vegetation to grow on the berms, this could be a measure to mitigate the visual impact of any new flood fight facilities. The flood fight facilities at the south end of Brannan Island have the potential to impact the scenic views of the Three-Mile Slough shoreline, perhaps the most visually appealing portion of the SRA. Including project elements such as the proposed new recreation trail and stockpile/visual screen berms would help mitigate these impacts by providing the public improved access to the shoreline and views and screening existing industrial infrastructure, such as the natural gas wells.

Biological Resources (pages 97-120)

There are elderberry shrubs, the host plant of the Valley Elderberry Long-horned Beetle (VELB) a federal listed species, throughout Brannan Island SRA. Surveys will need to be conducted to identify elderberry plants and the appropriate measures taken to avoid or mitigate impacts. Antioch Dunes Evening Primrose, a federally listed species, was introduced at Brannan Island in 1967. The largest population is centered near the group picnic area. The plant is likely not in the areas where improvements are proposed, however surveys should be conducted to determine presence or absence.

As noted in the IS/MND, several special status species of plants have the potential to occur in riparian areas at Brannan Island SRA, including Mason's lilaeopsis, Suisun marsh aster, Delta tule pea, Delta mudwort and Woolly rose-mallow. To the extent the project will impact riparian areas at Brannan Island SRA, surveys should be conducted to determine the presence or absence of these plants.

Between 2000 and 2009, burrowing owls have been sighted wintering at Brannan Island SRA in upland undeveloped areas in the center of the park unit. As proposed in the IS/MND, surveys should be conducted to determine presence or absence prior to construction activities.

Land Use (page 154)

While Brannan Island SRA is within Sacramento County, the property is State land. State Parks typically follows State standards and guidelines in developing facilities on State park properties, including the General Plan for the park unit and State building codes. State Parks does not typically obtain building or use permits from the County in developing State park units.

Noise (page 165)

There are employee residences at Brannan Island SRA; however, they are currently unoccupied. Some of the proposed improvements would occur in or near recreation facilities within Brannan Island SRA. However, State Parks believes that through coordinating and scheduling of the construction, such as considering the season, day of week and time of day, any construction noise impacts can be lessened and mitigated.

Recreation (page 174)

The project would include some joint use facilities that could serve recreation as well as flood emergency purposes. As proposed in this letter, some recreation facilities might be replaced or improved. State Parks believes these improvements will help mitigate any potential adverse impacts on recreation use from the proposed flood facility improvements and could have a beneficial effect on recreation use at Brannan Island SRA. These improvements can be completed without adverse physical effects on the environment.

Conclusion

The Gold Fields District of California State Parks supports the goals of the project to improve flood emergency facilities and capabilities in the Delta. We have had productive and encouraging discussions with DWR Flood Management staff regarding potential joint-use facilities that could benefit both flood emergency and recreation purposes at Brannan Island SRA. If the facilities described in the letter above can be achieved as part of the project and formalized in an interagency agreement, the District is highly supportive of the project. Key elements of these proposals for State Parks are the Multi-Agency Center, the boat berthing area and the RV campground. District staff looks forward to working further with DWR staff to make these joint-use proposals and projects a reality. If you have any questions about this letter please contact me or Gold Fields District Senior Park and Recreation Specialist Jim Micheals at (916) 988-0205.

Thank you.

Sincerely,



Matt Green
District Superintendent

DPR 4. DPR's comment that *"several special status species of plants have the potential to occur in riparian areas at Brannan Island SRA, including Mason's lilaeopsis, Suisun marsh aster, Delta tule pea, Delta mudwort and Woolly rose-mallow."*

The impact is addressed by Mitigation Measure BIO-4: Conduct Pre-Construction Riparian Habitat Surveys at All Three of the Project Sites Prior to Development. The mitigation measure has been included in the MMRP.

DPR 5. DPR's comment that *"Between 2000 and 2009, burrowing owls have been sighted wintering at Brannan Island SRA in upland undeveloped areas in the center of the park unit. As proposed in the IS/MND, surveys should be conducted to determine presence or absence prior to construction activities."*

The impact is addressed by Mitigation Measure BIO-1: Conduct Burrowing Owl Surveys at all Three of the Project Sites Prior to Development. The mitigation measure has been included in the MMRP.

DPR 6. DPR's comment states that *"while Brannan Island SRA is within Sacramento County, the property is State land. State Parks typically follows State standards and guidelines in developing facilities on State park properties, including the General Plan for the park unit and State building codes. State Parks does not typically obtain building or use permits from the County in developing State park units"*.

Text in Section 4.10.1.3 (pg. 154) has been changed to address this comment (See Section 3).

DPR 7. DPR's comment states that *"there are employee residences at Brannan Island SRA that are currently unoccupied, noting that some of the proposed improvements would occur in or near recreation facilities, thus having noise impacts"*.

DPR also notes that through coordinating and scheduling of the construction, such as considering the season, day of week and time of day, any construction noise impacts can be lessened and mitigated.

This will be factored into the development of the TMP pursuant to Mitigation DOT 2. Minor amendments were made to Section 4.13.1.6, Project Sites (pg. 165) to reflect the DPR comments and corrections (See Section 3). No further action is required.

DPR 8. DPR's comment states that *"the project would include some joint use facilities that could serve recreation as well as flood emergency purposes. As proposed in this letter, some recreation facilities might be replaced or improved. State Parks believes these improvements will help mitigate any potential adverse impacts on recreation use from the proposed flood facility improvements and could have a*

beneficial effect on recreation use at Brannan Island SRA. These improvements can be completed without adverse physical effects on the environment”.

A final set of proposed DPR improvements has not been firmly identified but it was noted by DPR that the proposed facilities would not contribute to, or cause additional significant impacts. DWR concurs. The potential impact to recreation resources are addressed by Mitigation Measure REC-1: Implement Measures to Minimize Impacts on Recreation within Brannan Island State Recreation Area (BISRA). DPR and DWR are to enter into a Memorandum of Understanding to implement proposed facilities. The mitigation measure has been included in the MMRP.

2.4 Letter 3: California Department of Fish and Wildlife

DFW 1. DFW comments that they “*typically recommend mitigation for trees removed. The mitigation measure should include performance and success standards that state how DWR plans to mitigate for trees removed as a part of the Project*”.

Mitigation Measure BIO-2: Retain all Mature Trees on the Proposed Project Sites, states that DWR will not remove trees. No clearing is planned. In the event that clearing is required trees would be replaced at a suitable location on site.

DFW 2. DFW notes that “*DWR plans to conduct riparian habitat surveys prior to any land clearing operations. The mitigation measure should include performance standards that state how DWR plans to mitigate for any riparian habitat that would be impacted from project activities*”.

Mitigation Measure BIO-4 (pgs. 119 and 184) has been amended to require mitigation of the identified impact.

“Prior to any land clearing operations, riparian habitat surveys shall be conducted by a qualified biologist to confirm that construction activities will not impact riparian habitat. The survey shall entail walking throughout the entire site, including a 100-foot buffer, to identify adjacent suitable riparian habitat that could be affected by construction activities, particularly along the top of waterside banks or slopes or low-lying areas. The riparian habitat surveys shall be submitted to DFW along with each of the site development plans to confirm that isolated project activities, inclusive of piling installations, utility installations and road/ramp improvements near or adjacent to riparian habitat or other sensitive natural communities will not result in a significant impact to riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. DWR will mitigate for impacts through restoration of riparian habitat on the Brennan Island or similar state property based on a replacement ration of 1:1.”

DFW 3. Text has been corrected.

DFW 4. Text has been corrected.

DFW 5. Text has been corrected.

DFW 6. Comment noted. Currently there are no planned activities that would require a Lake or Streambed Alteration Agreement (LSAA). Should the project change, DWR will consult with DFW regarding required LSAA alteration agreement or additional requirements.

DFW 7. DFW comments *“that for species not covered under the SJMSCP or the Project areas located outside of the San Joaquin County Multi-species Habitat Conservation and Open Space Plan (SJMSCP), a CESA permit, pursuant to Fish and Game Code Section 2080 et seq., is recommended if the Project has the potential to result in take of species of plants or animals listed under CESA, either during Project activities or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the draft EIR/EA must specify impacts, mitigation measures, and a mitigation monitoring and reporting program”*.

The IS/MND documents the approach to evaluation biological resources for the sites. The CNDDDB species list, reviews of literature and other databases were used to determine which species were expected to occur at each site (Table 4-6 for the Stockton West Weber site and Table 4-7 for the Rio Vista and Brannan Island sites). Each site was then visited and visually evaluated for the presence of the list of special status species and/or their habitats. During site visits, attention was paid to identifying special status species/habitats in the context of the proposed project activities. A number of potentially significant impacts were identified and mitigations to reduce the impacts to less than significant were included in the IS/MND and the MMRP, including preconstruction surveys and limits to project related activity. The intent is to avoid any potential take of sensitive species. If sensitive species are identified during the pre-construction surveys, DWR will consult with DFW to identify if any significant modifications to the projects and/or mitigation measures may be required to obtain a CESA permit for activities in areas outside the SJMSCP.



Memorandum

Date: May 6, 2013

To: Mr. John Paasch
California Department of Water Resources
Division of Flood Management
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

From: 
Scott Wilson, Acting Regional Manager
Department of Fish and Wildlife – Bay Delta Region, 7329 Silverado Trail, Napa, California 94558

Subject: Delta Flood Emergency Facilities Improvement Project, Initial Study and Proposed Mitigated Negative Declaration, SCH #2013042015, San Joaquin County

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Proposed Mitigated Negative Declaration (IS/MND) provided for the Delta Flood Emergency Facilities Improvement Project (Project). CDFW is providing comments on the IS/MND as a both a Trustee and Responsible Agency. As Trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) Permit or a Lake and Streambed Alteration Agreement (LSAA).

Project Location and Description

The purpose of the Project is to ensure that state agencies have the appropriate infrastructure and supplies in the Delta to respond to and recover quickly and effectively from major flood or earthquake disasters in the Sacramento-San Joaquin River Delta. The proposed Project would establish two new material storage transfer facility sites (one at West Weber Avenue in Stockton and one at Brannan Island State Park), modify an existing material storage facility at Rio Vista, establish new flood fight supply facilities at all three locations, and make site preparations to support incident command posts at Stockton's West Weber Avenue and Brannan Island State Recreation Area.

Comments on the IS/MND

1 Mitigation Measure BIO-2 on pages 6, 118, and 182 of the IS/MND: The California Department of Water Resources (DWR) plans to keep all trees greater than eight inches diameter at breast height (dbh) (CDFW typically recommends mitigation for trees removed). The mitigation measure should include performance and success standards that state how DWR plans to mitigate for trees removed as a part of the Project.

2 Mitigation Measure BIO-4 on pages 7, 119, and 182 of the IS/MND: DWR plans to conduct riparian habitat surveys prior to any land clearing operations. The mitigation measure should include performance standards that state how DWR plans to mitigate for any riparian habitat that would be impacted from project activities.

Mr. John Paasch

2

May 6, 2013

- 3 Pages 104, 106, 109, and 111 of the IS/MND has longfin smelt listed as a state species of special concern. Longfin smelt is listed as a threatened species by the state.
- 4 Page 104 of the IS/MND should include delta smelt as a state listed species that is endangered in the paragraph titled "Special-Status Fish."
- 5 Table 4-6 on page 108 of the IS/MND has the California tiger salamander listed as a state species of special concern. The California tiger salamander is state listed as threatened.

Lake and Streambed Alteration Agreement

- 6 The IS/MND on pages 8 and 120, contain a mitigation measure (BIO-6) that states "Prior to any ground disturbing site improvements DWR shall consult with DFW and secure any applicable Section 1600 Lake or Streambed Alteration (LSA) agreement(s)..."

Please be advised that any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, CDFW may require an LSAA, pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to the California Environmental Quality Act (CEQA). CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting. To obtain information about the LSAA permit process, please access our website at: <http://www.dfg.ca.gov/habcon/1600>.

California Endangered Species Act

- 7 The IS/MND notes on page 118 that "The Stockton, West Weber Avenue site is within the geographic area covered by the San Joaquin County Multi-species Habitat Conservation and Open Space Plan (SJMSCP)."

Please be advised that for species not covered under the SJMSCP or the Project areas located outside of the SJMSCP, a CESA permit, pursuant to Fish and Game Code Section 2080 et seq., is recommended if the Project has the potential to result in take of species of plants or animals listed under CESA, either during Project activities or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the draft EIR/EA must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the proposed Project will or has the potential to impact CESA listed species, early consultation with CDFW is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit. More information about the CESA permit process can be found on the CDFW website at <http://www.dfg.ca.gov/habcon/cesa/>.

If you have any questions, please contact Ms. Crystal Spurr, Senior Environmental Scientist, at (209) 234-3442, or Mr. Jim Starr, Environmental Program Manager, at (209) 234-3440.

cc: State Clearinghouse

DFW 7. DFW comments, *“Please be advised that for species not covered under the SJMSCP or the Project areas located outside of the SJMSCP, a CESA permit, pursuant to Fish and Game Code Section 2080 et seq., is recommended if the Project has the potential to result in take of species of plants or animals listed under CESA, either during Project activities or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the draft EIR/EA must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the proposed Project will or has the potential to impact CESA listed species, early consultation with CDFW is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit”*.

Take of listed species is not anticipated and the biological mitigations included in the IS/MND and as identified in the MMRP, are intended to ensure take is avoided.

2.5 Letters which did not Require Response



900 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
WWW.DELTACOUNCIL.CA.GOV
(916) 445-5511

May 10, 2013

Mr. John Paasch
California Department of Water Resources
Division of Flood Management
3310 El Camino Avenue, Suite 200
Sacramento, CA 95821

**Subject: COMMENTS ON THE NOTICE OF INTENT TO ADOPT AN INITIAL STUDY/MITIGATED
NEGATIVE DECLARATION FOR THE DELTA FLOOD EMERGENCY FACILITIES IMPROVEMENT
PROJECT, A COMPONENT OF THE DELTA FLOOD EMERGENCY PREPAREDNESS, RESPONSE
AND RECOVERY PROGRAM**

Dear Mr. Paasch:

The Delta Stewardship Council (Council) appreciates the opportunity to comment on the proposed Delta Flood Emergency Facilities Improvement Project (FIP), an element of DWR's Delta Flood Emergency Preparedness, Response, and Recovery Program. As you know, we are in the process of completing a planning effort, initiated by the Delta Reform Act (2009), which charged the Council with developing a comprehensive management plan for the Delta (Delta Plan). The Council anticipates adopting the Delta Plan at our May Delta Stewardship Council meeting. The Act sets forth as State policy the achievement of the coequal goals of water supply reliability and ecosystem restoration (Water Code Section 29702), along with the inherent objective of reducing risks to people, property, and State interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection (Water Code Sec. 85070(g)).

Specifically, Water Code Section 85305(a) directs the Council to promote effective emergency preparedness in the Delta. Since its inception, Council staff has been working with its partners at DWR, California Emergency Management Agency (CalEMA), and local Delta agencies to advance emergency preparedness in the Delta. The draft Delta Plan makes recommendations that address improvements in emergency preparedness and response, and the Council envisions working closely with its partners to implement those actions defined in the Delta Plan.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

— CA Water Code §85054

Mr. John Paasch
California Department of Water Resources
Division of Flood Management
May 10, 2013
Page 2

Our review of the Initial Study/Mitigated Negative Declaration for the FIP indicated to us that the proposed project would likely improve Delta flood emergency preparedness, response, and recovery efforts by ensuring that the State has appropriate infrastructure and supplies in the Delta to respond to major flood disasters. Because such disasters could have a substantial impact on life and property, as well as critical infrastructure, including State water supply, the Council is supportive of this proposed project and looks forward to its timely implementation. Once all of the elements of DWR's Delta Flood Emergency Preparedness, Response, and Recovery Program are developed and implemented, it will substantially benefit Delta flood risk reduction efforts in alignment with the Council's goals.

With the adoption of the Delta Plan, the efforts of the Council turn to implementing the Delta Plan and promoting the achievement of the coequal goals. As such, the Council invites all proponents of Delta projects to consult with the Council during the project development. Council staff can help facilitate a project that is both successful and consistent with the Delta Plan. With respect to the funding of this project, please recall that Water Code §83002(a)(1) also requires that "Prior to the design or construction of any project funded pursuant to this paragraph, the California Bay-Delta Authority, or its successor, shall approve the specific project or program." The Delta Reform Act of 2009 made the Council the successor to the California Bay-Delta Authority. The purpose of the Council's approval is to facilitate funding by DWR for projects consistent with the criteria established in Water Code §83002(a)(1). As the funding for this project is likely derived from this source, the Council recommends that DWR meet with Council staff to define the next steps necessary to facilitate project funding.

If you have any further questions, please don't hesitate to contact me at (916) 445-5891.

Sincerely,

Carl Lischeske
Lead Engineer
Delta Stewardship Council

DELTA PROTECTION COMMISSION

2101 Stone Blvd., Suite 210
West Sacramento, California 95691
Phone (916) 375-4800 / Fax (916) 375-3962
Home Page: www.delta.ca.gov



Contra Costa County Board of Supervisors

May 8, 2013

Sacramento County Board of Supervisors

John Paasch

California Department of Water Resources, Division of Flood Management
3310 El Camino Avenue, Suite 200
Sacramento, California 95821

San Joaquin County Board of Supervisors

Subject: Delta Flood Emergency Facilities Improvement Project (SCH # 2013042015)

Solano County Board of Supervisors

Dear Mr. Paasch:

Yuba County Board of Supervisors

Delta Protection Commission (Commission) staff have reviewed the Initial Study/Proposed Mitigated Negative Declaration for the Delta Flood Emergency Facilities Improvement Project (SCH #2013042015). The portions of this project which lie within the Primary Zone of the Sacramento-San Joaquin Delta, such as the site at Brannan Island State Recreation Area (BISRA), must be consistent with the Commission's Land Use and Resource Management Plan (LURMP) for the Primary Zone of the Delta. Upon review, Commission staff finds this project to be consistent with the LURMP.

Cities of Contra Costa and Solano Counties

Cities of Sacramento and Yuba Counties

Cities of San Joaquin County

Goals of the LURMP, as set out in the Delta Protection Act, include to "protect, maintain, and where possible, enhance and restore the over quality of the Delta environment, including but not limited to agriculture, wildlife habitat, and recreational activities; assure orderly, balanced conservation and development of Delta land resources and improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety". The purpose of this project is to ensure that State agencies have the appropriate infrastructure and supplies in the Delta to respond and recover quickly from major flood or earthquake disasters, which will help support the aforementioned goal of improving flood protection.

Central Delta Reclamation Districts

North Delta Reclamation Districts

South Delta Reclamation Districts

Business, Transportation and Housing

Department of Food and Agriculture

Natural Resources Agency

State Lands Commission

The project has been viewed as being inconsistent with land uses within BISRA and the adjoining Scenic Route 160, but mitigation measures have been incorporated into the project to keep potential recreation and scenic impacts to less than significant levels. As the LURMP includes goals and policies to protect the Delta's recreational resources, it is necessary that these mitigation measures remain included in the project to remain consistent with the LURMP.

Thank you for this opportunity to provide input. Please contact the Commission office at (916) 375-4800 if you have any questions.

Sincerely,

Michael Machado
Executive Director

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0809 FAX: (916) 574-0882
PERMITS: (916) 574-0685 FAX: (916) 574-0682



April 19, 2013

John Paasch

California Department of Water Resources
Division of Flood Management
3310 El Camino Ave, Suite 200
Sacramento, California 95821

Subject: Comments on the Proposed Mitigated Negative Declaration for the Delta Flood Emergency Facilities Improvement Project

Dear Mr. Paasch:

Our staff has reviewed the *Notice of Intent, Initial Study, and Proposed Mitigated Negative Declaration for the Delta Flood Emergency Facilities Improvement Project* and submit the following specific comments for your consideration.

1. Central Valley Flood Protection Board staff endorses the Delta Flood Emergency Facilities Improvement Project as proposed in this environmental study. By providing a local stockpile of levee repair materials and flood fighting supplies this project will help support an urgent response to a flood emergency.
2. In addition to rock and sand stockpiles, consider establishing borrow locations for impervious clay material for making repairs to damaged levee prisms. Impervious soil should also be used for filling in levee cracks and voids and repairing landside levee slope failures. The California Code of Regulations Title 23 Division 1 Section 120 describes the specifications for impervious levee fill material.

If you have any questions regarding this subject, please contact Curt Taras, Supervising Engineer, at (916) 574-0684 or at ctaras@water.ca.gov.

Sincerely,

Len Marino, P.E.
Chief Engineer

3.0 Errata and Text Changes

3.1 Air Section

SJAPCD 1. Revisions to Table 4-4 (pg. 88) have been made to identify the SJAPCD PM10 threshold of significance

Table 4-4. Summary of Significance Thresholds for Construction-Related Emissions for Criteria Pollutants

Air Quality District	Pollutant		
	ROG	NOx	PM10
Tehama County APCD (lb./day)	25	25	80
Butte County AQMD (lb./day)	25	25	80
Feather River AQMD (lb./day)	25	25	80 (lb./day)
Sacramento-Metro AQMD <u>(lb./day)</u>	-	85	-
Yolo Solano AQMD tons/year <u>(lb./day)</u>	10	10	80
Monterey Bay Unified APCD <u>(lb./day)</u>	-	-	82
San Joaquin Valley APCD (tons/year)	10	10	<u>15</u>

3.2 Biological Resources

Per DPR 3, the impact is addressed by minor amendment to Mitigation Measure BIO-3 (pgs. 119 and 183) to add text stating that:

“Preconstruction surveys will also include botanical survey to identify the presence of elderberry shrubs and antioch dunes evening primrose.” The mitigation measure has been included in the MMRP.

Per DFW 2, Text has been added to Mitigation Measure BIO-4 (pgs. 119 and 184) of the IS/MND. A sentence has been added to the end of the paragraph to read:

“DWR will mitigate for impacts through restoration of riparian habitat on the Brennan Island or similar state property based on a replacement ration of 1:1.”

Per DFW 3, the text on pg. 104, last sentence has been amended to read:

“The ~~remaining species (i.e. hardhead and longfin smelt)~~ are ~~are~~ is considered a species of special concern, ~~the delta smelt is endangered and long fin smelt is listed as threatened~~ by ~~DFGW~~. Descriptions of the special-status fish species supported by Delta waterways are provided below.”

The text on pg. 106, para. 2, first sentence has been amended to read:

“Longfin smelt is a ~~state and~~ federal Species of Concern and is listed as a threatened species by DFW”.

Table 4-6 as amended is reproduced below.

Per DFW 4, the text on pg. 104, para. 2, last sentence, has been amended as described for DFW 3.

Per DFW 5, Tables 4-6 and 4-7 were corrected as reproduced in the following pages.

Table 4-6. Special-Status Species Considered at the Stockton West Weber Avenue Site

Highlighted rows indicate refined list of species potentially occurring at site.

Site	Group	Common Name	Scientific Name	Status	Comments
Navy Drive, W. Weber Avenue	Birds	Swainson's Hawk	<i>Buteo swainsoni</i>	CT	Need tall mature trees for nesting; prefer to hunt near hay fields
		White-tailed Kite	<i>Elanus leucurus</i>	CFP	Nest in oak woodlands or marsh edge trees; hunt in open areas
		Burrowing Owl	<i>Athene cunicularia</i>	CSSC	Require burrows; found in grasslands, deserts, and scrublands with low-growing vegetation
		California Black Rail	<i>Laterallus jamaicensis coturniculus</i>	CT, CFP	Occupy saltwater, brackish, and freshwater marsh; prefer dense cover
		Song Sparrow	<i>Melospiza melodia</i>	CSSC	Modesto population; prefer emergent freshwater marshes with <i>Scirpus</i> , cattails, willows, blackberries
		Tricolored Blackbird	<i>Agelaius tricolor</i>	CSSC	Nest near water; foraging habitat natural grassland, woodland, or agricultural cropland
	Reptiles / Amphibians	California tiger salamander	<i>Ambystoma californiense</i>	FT, CC, CSSC CT	Require vernal pools, ponds, or intermittent streams for breeding; estivate in animal burrows
		Western pond turtle	<i>Actinemys marmorata</i>	CSSC	Occupy ponds, marshes, streams, ditches
		Giant garter snake	<i>Thamnophis gigas</i>	FT, CT	Occupy marshes, sloughs, drainages, canals, ditches, slow-moving creeks
	Invertebrates	Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	FT	Associated with elderberry bushes
		Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	FE	Require vernal pools
	Plants	Palmate-bracted bird's-beak	<i>Cordylanthus palmatus</i>	FE, CE	Occupy seasonally flooded, saline-alkali soils in lowland plains and basins, edges of channels and drainages; occasionally found in seasonally wet depressions and grassy areas; reported near site by Calflora
		San Joaquin spearscale	<i>Atriplex joaquiniana</i>	CNPS 1B.2	Occupy alkali grasslands; reported near site by Calflora
		Alkali milk-vetch	<i>Astragalus tener</i> var. <i>tener</i>	CNPS 1B.2	Occupy playas, vernal pools, wetlands, riparian areas; reported near site by Calflora
		Delta tule pea	<i>Lathyrus jepsonii</i> var. <i>jepsonii</i>	CNPS 1B.2	Occupy freshwater marshes and tidal river banks; reported near site by Calflora
		Round-leaved filaree	<i>California macrophylla</i>	CNPS 1B.1	Occupy grasslands; reported near site by Calflora
		Woolly rose-mallow	<i>Hibiscus lasiocarpus</i> var. <i>occidentalis</i>	CNPS 2.2	Occupy freshwater wetlands and riparian areas; reported near site by Calflora
		Suisun Marsh aster	<i>Symphyotrichum lentum</i>	CNPS 1B.2	Occupy Suisun region; not reported in San Joaquin County by Calflora
		Delta mudwort	<i>Limosella subulata</i>	CNPS 2.1	Occupy banks and flats surrounded by freshwater wetlands and riparian scrub areas; not reported in San Joaquin County by Calflora
		Bristly sedge	<i>Carex comosa</i>	CNPS 2.1	Occupy freshwater wetlands and riparian areas; reported near site by

					Calflora
		Mason's lilaeopsis	<i>Lilaeopsis masonii</i>	CR, CNPS 1B.1	Occupy tidal zones, mud banks, banks of sloughs and rivers; reported near site by Calflora
		Big tarplant	<i>Blepharizonia plumosa</i>	CNPS 1B.1	Occupy valley grassland, foothill woodland, chaparral; reported near site by Calflora
		Heartscale	<i>Atriplex cordulata</i>	CNPS 1B.2	Occupy valley grassland, wetland-riparian; reported near site by Calflora
		Watershield	<i>Brasenia schreberi</i>	CNPS 2.3	Occupy wetland/riparian areas; reported near site by Calflora
		Side-flowering skullcap	<i>Scutellaria lateriflora</i>	CNPS 2.2	Occupy freshwater wetlands, freshwater marsh, meadows; not reported near site by Calflora
		Sanford's arrowhead	<i>Sagittaria sanfordii</i>	CNPS 1B.2	Occupy freshwater marshes and riparian areas; not reported near site by Calflora
	Fish	Delta smelt	<i>Hypomesus transpacificus</i>	FT, CE	Generally occupy brackish waters
		Chinook salmon	<i>Oncorhynchus tshawytscha</i>	T, E, CSSC	Site is within range of "Central Valley Fall-run, Late Fall-run, Winter run, and Spring-run Evolutionarily Significant Unit"
		Steelhead	<i>Oncorhynchus mykiss irideus</i>	FT	Site is within range of "Central Valley, California Steelhead Evolutionarily Significant Unit"
		Green Sturgeon	<i>Acipenser medirostris</i>	T	Requires cold, freshwater streams with suitable gravel for spawning, occurs in Delta and tributaries
		Longfin smelt	<i>Spirinchus thaleichthys</i>	CSSC CT	Spawns in tidally influenced freshwater wetlands and seasonally inundated uplands, occurs in Delta and tributaries
		Sacramento splittail	<i>Pogonichthys macrolepidotus</i>	CSSC	Spawning and rearing in shallow weedy areas inundated in seasonal flooding, lower Sacramento River and bypasses, occurs in Delta and tributaries
		Hardhead	<i>Mylopharodon conocephalus</i>	CSSC	Spawning in pools and side pools of rivers and creeks, juvenile rearing in same areas as well as shallow to deeper waters of lakes, occurs in the Delta and tributaries
		San Joaquin Roach	<i>Lavinia symmetricus sp.</i>	CSSC	Spawning in pools and side pools of small rivers and creeks, juvenile rearing in pools of small rivers and creeks, occurs in the Delta and tributaries

Status Codes:

CC California Endangered Candidate

CE California Endangered

CFP California DFG Fully Protected

CSSC California DFG Species of Special Concern

CT California Threatened

FE Federal Endangered

FT Federal Threatened

CNPS

CNPS 1B

CNPS 2

0.1

0.2

California Native Plant Society

Rare, threatened, or endangered in California and elsewhere

Rare, threatened, or endangered in California but more common elsewhere

Seriously threatened

Fairly threatened

Table 4-7. Special-Status Species Considered at the Rio Vista and Brannan Island Sites

Highlighted rows indicate refined list of species potentially occurring at site.

Sites	Group	Common Name	Scientific Name	Status	Comments
Rio Vista and Brannan Island	Birds	Swainson's Hawk	<i>Buteo swainsoni</i>	CT	Need tall mature trees for nesting; prefer to hunt near hay fields
		California Black Rail	<i>Laterallus jamaicensis coturniculus</i>	CT, CFP	Occupy saltwater, brackish, and freshwater marsh; prefer dense cover
		Song Sparrow	<i>Melospiza melodia</i>	CSSC	Modesto population; prefer emergent freshwater marshes with <i>Scirpus</i> , cattails, willows, blackberries
		Burrowing Owl	<i>Athene cunicularia</i>	CSSC	Require burrows; found in grasslands, deserts, and scrublands with low-growing vegetation
		Bank Swallow	<i>Riparia riparia</i>	CT	Occupy riparian areas; build nests on river banks, cliffs, sand/gravel pits and mounds
	Mammals	Western red bat	<i>Lasiurus blossevillei</i>	CSSC	Primarily roost in mature tree stands
	Reptiles / Amphibians	Giant garter snake	<i>Thamnophis gigas</i>	FT, CT	Occupy marshes, sloughs, drainages, canals, ditches, slow-moving creeks
		Western pond turtle	<i>Actinemys marmorata</i>	CSSC	Occupy ponds, marshes, streams, ditches
		Silvery legless lizard	<i>Anniella pulchra pulchra</i>	CSSC	Moisture essential; prefer warm, loose soil with plant cover
	Invertebrates	Sacramento Anthicid beetle	<i>Anthicus sacramento</i>	CNPS	Interior sand dunes and sand bars; reported in association with <i>Arundo</i> and willow, but vegetation associations are unclear. Could occur at Rio Vista and Brannan Island sites; species was trapped nearby in 1987
		Antioch Dunes Anthicid beetle	<i>Anthicus antiochensis</i>	CNPS	Bare, unvegetated interior sand dunes and sand bars; Could occur at Rio Vista site; species was trapped nearby in 1987
		Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	FT	Associated with elderberry bushes
	Plants	Mason's lilaeopsis	<i>Lilaeopsis masonii</i>	CR, CNPS 1B.1	Occupy tidal zones, mud banks, banks of sloughs and rivers; reported near site by Calflora
		Carquinez goldenbush	<i>Isocoma arguta</i>	CNPS 1B.1	Occupy Suisun region; alkali seasonal wetlands, grasslands; not reported near site by Calflora
		Suisun Marsh aster	<i>Symphyotrichum lentum</i>	CNPS 1B.2	Occupy Suisun region; not reported near site by Calflora
		Delta tule pea	<i>Lathyrus jepsonii</i> var. <i>jepsonii</i>	CNPS 1B.2	Occupy freshwater marshes and tidal river banks; not reported near site by Calflora
		Side-flowering skullcap	<i>Scutellaria lateriflora</i>	CNPS 2.2	Occupy freshwater wetlands, freshwater marsh, meadows; not reported near site by Calflora

		Woolly rose-mallow	<i>Hibiscus lasiocarpus</i> var. <i>occidentalis</i>	CNPS 2.2	Occupy freshwater wetlands and riparian areas; not reported near site by Calflora
		Antioch Dunes evening-primrose	<i>Oenothera deltoids</i> ssp. <i>howellii</i>	FE, CE, CNPS 1B.1	Inhabit sand dune habitat
		Soft bird's-beak	<i>Cordylanthus mollis</i> ssp. <i>mollis</i>	FE, CR, CNPS 1B.2	Occupy coastal saltmarsh and wetland riparian areas; not reported near site by Calflora
		Delta mudwort	<i>Limosella subulata</i>	CNPS 2.1	Occupy freshwater wetlands and riparian areas; not reported near site by Calflora
		Eel-grass pondweed	<i>Potamogeton zosteriformis</i>	CNPS 2.2	Occupy riparian areas with still or slow water; not reported near site by Calflora
	Fish	Delta smelt	<i>Hypomesus transpacificus</i>	FT, CE	Generally occupy brackish waters
		Chinook salmon	<i>Oncorhynchus tshawytscha</i>	T, E, CSSC	Site is within range of "Central Valley Fall-run, Late Fall-run, Winter run, and Spring-run Evolutionarily Significant Unit"
		Steelhead	<i>Oncorhynchus mykiss irideus</i>	FT	Site is within range of "Central Valley, California Steelhead Evolutionarily Significant Unit"
		Green Sturgeon	<i>Acipenser medirostris</i>	T	Requires cold, freshwater streams with suitable gravel for spawning, occurs in Delta and tributaries
		Longfin smelt	<i>Spirinchus thaleichthys</i>	CSSC CT	Spawns in tidally influenced freshwater wetlands and seasonally inundated uplands, occurs in Delta and tributaries
		Sacramento splittail	<i>Pogonichthys macrolepidotus</i>	CSSC	Spawning and rearing in shallow weedy areas inundated in seasonal flooding, lower Sacramento River and bypasses, occurs in Delta and tributaries
		Hardhead	<i>Mylopharodon conocephalus</i>	CSSC	Spawning in pools and side pools of rivers and creeks, juvenile rearing in same areas as well as shallow to deeper waters of lakes, occurs in the Delta and tributaries
		San Joaquin Roach	<i>Lavinia symmetricus</i> sp.	CSSC	Spawning in pools and side pools of small rivers and creeks, juvenile rearing in pools of small rivers and creeks, occurs in the Delta and tributaries

Status Codes:

CE California Endangered

CFP California DFG Fully Protected

CR California Rare

CSSC California DFG Species of Special Concern

CT California Threatened

FE Federal Endangered

FT Federal Threatened

CNPS California Native Plant Society

CNPS 1B Rare, threatened, or endangered in California and elsewhere

CNPS 2 Rare, threatened, or endangered in California but more common elsewhere

.1 Seriously threatened

.2 Fairly threatened

3.3 Transportation/Traffic

The text in Section 4.17.3, Proposed Environmental Mitigation Measures (pg. 178), has been amended, and the same text was added to the new Section 5.8 (pg. 188).

“The project could result in increased heavy truck traffic generated by this project and may cause damage to roadway pavement. Increased truck traffic may be generated during the construction and operation to restock the sites. DWR will coordinate with the appropriate Caltrans staff to investigate feasible mitigations. DOT also commented on the need for a Traffic Management Plan (TMP).”

Mitigation Measure TRANS-1: DWR, in consultation with Caltrans regional offices, will prepare a Traffic Management Plan (TMP) to guide activities during construction and restocking phases of the proposed project.

This plan will be prepared and support procurement of necessary Caltrans permits for the transport of heavy construction equipment and/or materials to/from the projects site, or any movement of oversized or excessive lad vehicles on the State Highway System. At a minimum this plan shall define how to minimize the amount of time spent on construction transportation activities; how to minimize disruption of vehicle and alternative modes of traffic at all times, but particularly during periods of high traffic volumes; adequate signage and other controls, including flag persons, to ensure that traffic can flow adequately during construction; the identification of alternative routes that can meet the traffic flow requirements of a specific area, including communication (signs, webpages, etc.) with drivers and neighborhoods where construction activities will occur; and at the end of each construction day roadways shall be prepared for continued utilization without any significant roadway hazards remaining”.

~~No significant impacts are anticipated; therefore, no mitigation measures are needed or proposed for transportation/traffic.~~

3.4 Land Use

The following text has been added to Section 4.10.1.3, Brannan Island (pg. 154):

“While Brannan Island SRA is within Sacramento County, the property is State land. State Parks typically follows State standards and guidelines in developing facilities on State park properties, including the General Plan for the park unit and State building codes. Since the property is a State Parks there is no requirement to obtain building or use permits from the County.”

3.5 Noise

Per DPR 7, minor amendments were made to Section 4.13.1.6, Project Sites, pg. 165 to read:

“Brannan Island is a Recreation Area. No currently occupied permanent residences, schools, or other sensitive receptors are found near the site. There is some employee residences on-site that are not occupied. DPR has commented that through coordinating and scheduling of the construction, such as considering the season, day of week and time of day, any construction noise impacts can be lessened and mitigated.”

4.0 Mitigation Monitoring and Reporting Program, (MMRP)

The following table presents the MMRP for the project.

Table 4-1 Mitigation Monitoring and Reporting Plan: Delta Flood Emergency Facilities Improvement Project`

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
AES-1: Design BISRA Joint Use Facility with DPR Incorporating Architectural and Landscaping Technics to Minimize Impacts to Scenic Vistas and Visual Resources.	DWR will consult and coordinate with DPR staff and architect to facilitate the location and design of the joint use facility and steel warehouse within the BISRA so as not to harm the natural aesthetics, scenic vistas, and visual character available within the BISRA and from the nearby Scenic SR 160. Potential design measures may include utilizing natural earth tones for building exteriors, incorporating earthen berms and planting native plants to help screen project building features from recreational areas and from Scenic SR 160.	Design, Pre-construction	DWR	DPR
AES-2: Locate and Design Quarry Rock Stockpile(s) at BISRA to Minimize Impacts to Scenic Vistas and Visual Resources.	DWR will consult and coordinate with DPR staff to facilitate the location, placement, shape, and visual treatment of quarry rock stockpile(s) that will be located near the southern tip of the BISRA peninsula. The quarry rock stockpiles will be located and configured so as not to harm the natural aesthetics, scenic vistas, and visual character available within and adjacent to the BISRA and from the nearby river, sloughs and Scenic SR 160. Potential visual treatments may include screening by natural, native vegetation of trees and shrubs, utilizing natural berms, or covering the rock stockpiles with a layer of native soil and sand materials from nearby within the BISRA.	Pre-construction	DWR	DPR
AES-3: Locate and Treat Exterior of Warehouse and Cargo Storage Containers at BISRA to Minimize Light and Glare Impacts to Day and Nighttime Views.	DWR will consult and coordinate with DPR staff to facilitate the location and exterior visual treatment of the project warehouse on BISRA to minimize light and glare impacts to day and nighttime views, and not to harm the natural aesthetics, scenic vistas, and visual character available within and adjacent to the BISRA and from Scenic SR 160. Potential visual treatments may include treating the exterior of the warehouse walls and roof in natural earth tones and screening by natural, native vegetation of trees and shrubs.	Design, Pre-construction	DWR	DPR

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
BIO-1: Conduct Burrowing Owl Surveys at all Three of the Project Sites Prior to Development.	Prior to any land clearing operations, a burrowing owl survey following standard guidelines (The California Burrowing Owl Consortium, CBOC, 1993) shall be conducted by a qualified biologist. The survey shall entail walking throughout the entire site, including a 500-foot buffer, to identify adjacent suitable habitat that could be affected by noise and vibration from heavy equipment operation. If no burrows are observed, no impact is expected and results of the survey shall be submitted to the California Department of Fish and Wildlife (DFW). If burrows or owls are observed, a nesting season (15 April – 15 July) survey shall also be conducted, the results of which shall determine whether a winter survey will be further required or whether the results of the survey can be submitted to the DFW following the nesting survey. If the surveys confirm occupied burrowing owl habitat, the Incidental Take Minimization Measure for Burrowing Owls (Measure 5.2.4.15) in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (November 14, 2000) will be implemented.	Pre-construction	DWR	DFW
BIO-2: Retain all Mature Trees on the Proposed Project Sites.	Mature trees that are potential nest trees and native oak trees greater than 8"dbh will not be removed from any of the project sites. If a nest tree becomes occupied during stockpiling and site development activities, then depending upon the bird species involved, appropriate monitoring and mitigation measures as specified by the DFW will be instituted. At a minimum, all construction activities shall remain a distance of at least two times the drip line radius of active nest trees, as measured from the nest.	Pre-construction, Construction	DWR	DFW

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
BIO-3: Conduct Special Status Surveys.	DWR will consult with DFW prior to project construction to determine the extent for pre-construction sensitive species survey on the proposed project sites. For those sites determined for specific surveys, a qualified biologist shall conduct the sensitive species survey on the sites and within buffer areas of the sites. Special status bird species that could potentially nest in trees in or near the project area include Swainson's hawk, tricolored blackbird, white-tailed kite, double-crested cormorant, California black rail, saltmarsh common yellowthroat, song sparrow, Cooper's hawk, ferruginous hawk, merlin, yellow-headed blackbird, and western yellow-billed cuckoo. Potential habitat for special status reptiles/amphibians including the giant garter snake (GGS) and the western pond turtle exists at all three sites necessitating the need to conduct pre-construction surveys at all three sites. In addition, the western red bat could potentially roost in trees in or near the Rio Vista site and the Brannan Island site. The surveys shall be conducted no more than two weeks prior to the start of operations and depending on the expected duration of the activities a follow-up survey may also be required. All observed sensitive species shall be reported to the DFW. The proposed project will be adjusted to avoid impacting these species, or to relocate the individuals under the guidance of the DFW. <u>Preconstruction surveys will also include botanical survey to identify the presence of elderberry shrubs and Antioch dunes evening primrose.</u>	Pre-construction	DWR	DFW
BIO-4: Conduct Pre-Construction Riparian Habitat Surveys at All Three of the Project Sites Prior to Development.	Prior to any land clearing operations, riparian habitat surveys shall be conducted by a qualified biologist to confirm that construction activities will not impact riparian habitat. The survey shall entail walking throughout the entire site, including a 100-foot buffer, to identify adjacent suitable riparian habitat that could be affected by construction activities, particularly along the top of waterside banks or slopes or low-lying areas. The riparian habitat surveys shall be submitted to DFW along with each of the site development plans to confirm that isolated project activities, inclusive of piling installations, utility installations and road/ramp improvements near	Pre-construction	DWR	DFW

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
	or adjacent to riparian habitat or other sensitive natural communities will not result in a significant impact to riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. <u>DWR will mitigate for impacts through restoration of riparian habitat on the Brennan Island or similar of state property based on a replacement ration of 1:1.</u>			
BIO-5: Conduct Pre-Design Wetlands and Riparian Habitat Surveys for each of the Sites and Install and Maintain Exclusionary Fencing at the Sites to Ensure Full Avoidance of Seasonal and Permanent Wetlands and Jurisdictional Riparian Habitat.	<p>a) DWR shall retain a qualified biologist to conduct a wetland delineation of the project sites. This delineation shall be submitted to the Corps, and verification received prior to any ground disturbing activities beyond the existing on-site roadways.</p> <p>b) DWR, will preserve, and not disturb the existing wetlands, and wherever possible, establish 25-foot minimum buffers around all sides of these features. In addition, the final project design shall not cause significant changes to the pre-project hydrology, water quality or water quantity in any wetland that is to be retained on site. This shall be accomplished by avoiding or repairing any disturbance to the hydrologic conditions supporting these wetlands, as verified through wetland protection plans.</p> <p>c) DWR, prior to construction activities, shall conduct an updated wetland delineation for its potential disturbance area, install orange exclusion fencing on T-posts (or equivalent), with silt fence material installed along the bottom, and wherever possible a 25-foot buffer adjacent to seasonal and permanent wetlands identified within and adjacent to the proposed site work. The fencing shall be maintained for the duration of the site work, and the DWR Operations and Maintenance Manual for the Rio Vista site shall include the pre-construction delineation of jurisdictional wetlands and riparian habitat and note that all future traffic within the project site is limited to improved surface areas and stockpile areas, and all other areas are deemed off-limits to vehicular and construction equipment.</p>	Predesign, Preconstruction,	DWR	DFW

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
BIO-6: Secure Section 1600 Lake or Streambed Alteration (LSA) Agreement from DFW	Prior to any ground disturbing site improvements DWR shall consult with DFW and secure any applicable Section 1600 Lake or Streambed Alteration (LSA) agreement(s) for any permanent site improvements waterward of the top of bank at Threemile Slough for the BISRA site or at the Stockton Deep Water Ship Channel or Mormon Slough at the Stockton West Weber Avenue site.	Predesign, Preconstruction,	DWR	DFW
CUL-1: Pre-construction Field Survey	Prior to ground disturbing activities, a field survey will be conducted by a qualified archeologist to identify any prehistoric or historic cultural resources within the project site areas. The survey may reveal a lack of resources. No further identification effort will need to be made. If resources are found in one of the selected sites during the survey, it will be necessary to determine whether the resource is an important resource. This determination will be made by a qualified archeologist based upon surface evidence, if possible. If surface evidence is not conclusive, additional studies, including archival research or subsurface testing, will be conducted. If the additional studies are undertaken and a resource is found to be important under the criteria of the California Register of Historical Resources (CRHR), avoidance will be the preferred method of mitigation. The use of the site with the significant resource might need to be limited to a smaller portion of the site, with protective measures designed for the resource, such as fencing or monitoring site use. The determination of appropriate mitigation will be made by DWR.	Preconstruction	DWR	DWR
CUL-2: Worker Cultural Resource Awareness	Construction personnel will be informed of the potential for encountering significant archaeological resources and instructed in the identification of artifacts, bone, and other potential resources. All construction personnel will be informed of the need to stop work on the project site if cultural resources are found, and until a qualified archaeologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect or scientifically remove the find. Construction personnel will also be informed of the requirement that unauthorized collection of cultural resources is prohibited.	Preconstruction, Construction	DWR	DWR

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
CUL-3: Immediately Halt Construction if any Cultural Resources are Discovered.	DWR shall implement the following mitigation measure to reduce the potential impacts to buried historic cultural resources to a less-than-significant level. If cultural materials (e.g., unusual amounts of shell, animal bone, glass, ceramics, etc.) are discovered during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist shall be notified regarding the discovery. The archaeologist, to be retained by DWR, shall determine whether the resource is potentially significant per the CRHR and develop appropriate mitigation. Mitigation may include, but not be limited to, in-field documentation, archival research, archaeological testing, data recovery excavations, or recordation, and shall be implemented before resuming construction in the immediate vicinity.	Construction	DWR	DWR
CUL-4: Immediately Halt Construction if any Human Remains are Discovered.	DWR shall implement the following mitigation measure to reduce the potential impacts to human remains to a less-than-significant level. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, the contractor and/or DWR shall immediately halt potentially damaging excavation in the area of the burial and notify the County Coroner and a professional archaeologist to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner's findings, DWR, an archaeologist, and the NAHC designated Most Likely Descendent (MLD) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting upon notification of a discovery of Native American human remains are identified in	Construction	DWR	DWR

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
	California Public Resources Code Section (PRC) 5097.9.			
CUL-5: Determination of Significance of Cultural Resources	If previously unknown cultural resources are discovered during project construction, all work in the area of the find should cease and a qualified archaeologist should be retained by DWR or consultant to assess the significance of the find, make recommendations on its disposition, and prepare appropriate field documentation, including verification of the completion of required mitigation. If archaeological or paleontological resources are discovered during earth moving activities, all construction activities within 50 feet of the find should cease until the archaeologist evaluates the significance of the resource. In the absence of a determination, all archaeological and paleontological resources should be considered significant. If the resource is determined to be significant, the archaeologist, as appropriate, should prepare a research design for recovery of the resources in consultation with the State Office of Historic Preservation that satisfies the requirements of Public Resources Code, Section 21083.2. The archaeologist should complete a report of the excavations and	Construction	DWR	DWR

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
	findings. Upon approval of the report, the project proponent should submit the report to the regional office of the California Historic Resources Information System.			
HYD-1: Institute Construction Best Management Practices (BMPs) for the Prevention of Erosion and Transport of Soil, Sand, and Silt Offsite During Runoff Events.	DWR shall implement construction Best Management Practices (BMPs) for all land clearing, land leveling, excavation, and fill operations associated with site preparations at the three sites. These measures will be incorporated into the construction plans and specifications. They include avoidance of existing wetlands, including placement of exclusion fencing, creating on site catchments for surface runoff, using coir logs to intercept drainage, and hydroseeding slopes, as appropriate. Before the start of any construction work, clearing, or site grading associated with preparation, or any stockpiling activities at the sites, measures to control soil erosion and waste discharges will be prepared in accordance with BMPs. DWR will require all contractors conducting work at the sites to implement BMPs to control soil erosion and waste discharges of other construction-related contaminants. The general contractor(s) and subcontractor(s) conducting the work will be responsible for constructing or implementing, regularly inspecting, and maintaining the BMPs in good working order. In addition, the	Preconstruction, Construction	DWR, Contractor	County of Record

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
	<p>contractors will be required to submit and adhere to the applicable Storm Water Pollution Prevention Plan (SWPPP) associated with site development, preparation, and improvements.</p> <p>Sufficient buffers from wetlands, riparian habitat, and/or other sensitive areas shall be maintained throughout the construction improvement period(s) of the project.</p> <p>The plans developed by DWR or its contractor(s) will identify the grading, erosion, and tracking control BMPs and specifications that are necessary to avoid and minimize water quality impacts to the extent practicable. Standard erosion control measures (e.g., management, structural, and vegetative controls) will be implemented for all construction activities that expose soil. Grading operations will be conducted to eliminate direct routes for conveying potentially contaminated runoff to drainage channels. Erosion control barriers such as silt fences and mulching material will be installed, and disturbed areas will be reseeded with native grasses or other plants where necessary. Tracking controls shall be required throughout the construction period, as needed, to reduce the tracking of sediment and debris from the construction site.</p>			

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
HYD-1 (cont.)	<p>At a minimum, entrances and exits shall be inspected daily, and controls implemented as needed. The following specific BMPs will be implemented, as described in the California BMP Handbook (www.cabmphandbook.com):</p> <ul style="list-style-type: none"> • Conduct all work according to site-specific construction plans that identify areas for clearing and grading so that ground disturbance is minimized. • Avoid riparian vegetation, cover cleared areas with mulches, and install silt fences near riparian areas or streams to control erosion and trap sediment, and reseed cleared areas with native vegetation. Sufficient buffers (minimum 20 feet when possible) from wetlands and/or other sensitive areas shall be maintained throughout the life of the project. • Stabilize disturbed soils before the onset of the winter rainfall season. • Stabilize and protect stockpiles from exposure to erosion and flooding. • Stabilize all construction access by providing a point of entrance/exit to the construction sites that is stabilized to reduce the tracking of mud and dirt onto public roads by construction vehicles. • Grade each construction entrance/exit to prevent runoff from leaving the construction site, and ensure that all runoff from the stabilized entrances/exits are routed through a sediment-trapping device before discharge. • Ensure that entry/exit ways are able to support the heaviest vehicles and equipment that will use them. <p>BMPs will also specify appropriate hazardous materials handling, storage, and spill response practices to reduce the possibility of adverse impacts from use or accidental spills or releases of contaminants. Specific measures applicable to the project include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Develop and implement strict onsite handling rules to keep construction and maintenance materials out of drainages and 			

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
	<p>waterways.</p> <ul style="list-style-type: none"> • Conduct all refueling and servicing of equipment with absorbent material or drip pans underneath to contain spilled fuel. Collect any fluid drained from machinery during servicing in leak-proof containers and deliver to an appropriate disposal or recycling facility. • Maintain controlled construction staging, site entrance, concrete washout, and fueling areas at least 100 feet away from stream channels or wetlands to minimize accidental spills and runoff of contaminants in storm water. • Prevent raw cement; concrete or concrete washings; asphalt, paint, or other coating material; oil or other petroleum products; or any other substances that could be hazardous to aquatic life from contaminating the soil or entering watercourses. • Maintain spill cleanup equipment in proper working condition. Clean up all spills immediately according to the spill prevention and response plan, and immediately notify DFW and the RWQCB of any spills and cleanup procedures. 			
HAZ-1	DWR has entered into an interagency agreement with the State Department of Toxic Substance Control (DTSC) to conduct applicable supplemental site investigations (SSIs) and shall develop environmental remediation plans that will be incorporated into the site plans and improvements proposed for the Stockton West Weber Avenue parcel(s) prior to any ground disturbing activities that may pose a toxic substance hazardous risk during construction of site improvements and subsequent facility operations that will be consistent with current commercial and industrial zoning land uses.	Preconstruction	DWR	DTSC
NOI-1: Implement Measures to Control Construction Equipment Noise Levels.	The contractor and/or DWR shall properly maintain construction equipment and equip it with noise control devices, such as exhaust mufflers or engine shrouds, in accordance with manufacturers' specifications. For non-emergency activities such as site construction and stockpiling quarry rock, operations will be limited to the periods 7:00 AM to 7:00 PM, Mondays through Saturdays.	Construction	Contractor	DWR

Mitigation Measure(s)	Mitigation Description	Timing, Milestone	Responsible Entity	Monitoring and Enforcement Responsibility
REC-1: Implement Measures to Minimize Impacts on Recreation within Brannan Island State Recreation Area (BISRA)	DWR shall enter into a Memorandum of Understanding with the State Department of Parks and Recreation (DPR) to design project elements in coordination with DPR to minimize impacts on recreational quality and visual resources within the BISRA, and to improve facilities that could jointly benefit recreational services and emergency response capabilities. These include potential features such as developing architectural treatments to blend new structures (multi-use and warehouse facilities) within the park setting, screening the placement and storage of quarry rock stockpiles with vegetation, earthen berms, and/or placing a layer of sand over the quarry rock stockpile, planting native plants to help screen project features, improving service facilities such as restrooms and roads, and collectively implement a 2,500-5,000 sf. joint use facility within the BISRA that could serve as Multi-Agency Center (MAC).	Preconstruction	DWR	DPR
TRANS-1: DWR, in consultation with Caltrans regional offices, will prepare a <u>Traffic Management Plan (TMP) to guide activities during construction phase and restocking phase of the proposed project.</u>	<u>This plan will be prepared and support procurement of necessary Caltrans permits for the transport of heavy construction equipment and/or materials to/from the projects site, or any movement of oversized or excessive load vehicles on the State Highway System. At a minimum this plan shall define how to minimize the amount of time spent on construction transportation activities; how to minimize disruption of vehicle and alternative modes of traffic at all times, but particularly during periods of high traffic volumes; adequate signage and other controls, including flag persons, to ensure that traffic can flow adequately during construction; the identification of alternative routes that can meet the traffic flow requirements of a specific area, including communication (signs, webpages, etc.) with drivers and neighborhoods where construction activities will occur; and at the end of each construction day roadways shall be prepared for continued utilization without any significant roadway hazards remaining.</u>	Preconstruction	DWR	Caltrans

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Department of Water Resources